

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

JOHN V. BIVONA, et al.,
Defendants.

Case No. 16-cv-01386-EMC

**ORDER SETTING NEW HEARING
DATE ON MOTION FOR A
PRELIMINARY INJUNCTION AND
ORDER TO SHOW CAUSE**

Docket No. 37

On March 25, 2016, the parties stipulated to setting one hearing date on the preliminary injunction on May 12, 2016. Docket No. 37. The Court finds that the stipulation is not technically effective because the stipulation was signed by Defendant John V. Bivona on behalf of SRA Management, LLC, SRA I LLC, SRA II LLC, SRA III LLC, Felix Investments, LLC, Clear Sailing Group IV LLC, and Clear Sailing Group V LLC (collectively, LLCs). *Id.* at 2. Per Civil Local Rule 3-9(b), “[a] corporation, unincorporated association, partnership, or other such entity may appear only through a member of the bar of this Court.” It is unclear if Mr. Bivona signed as the LLCs’ manager or as their legal representative. The LLCs cannot appear in this action without being represented by counsel; if Mr. Bivona intends to represent the LLCs as their attorney, he should so state by **March 31, 2016**.

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1 Nevertheless, the Court finds that it is appropriate to set one preliminary injunction hearing
2 date, which will be on **May 12, 2016 at 1:30 p.m.** Defendants and Relief Defendants shall file an
3 opposition by **April 22, 2016 at 5:00 p.m.**, and the SEC may file any reply by **May 3, 2016 at**
4 **5:00 p.m.** The Court **VACATES** the April 5, 2016 hearing date.

5 This Order disposes of Docket No. 37.

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7 **IT IS SO ORDERED.**

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9 Dated: March 28, 2016

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12 EDWARD M. CHEN
13 United States District Judge
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